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348 Franklin Street
Cambridge, MA 02139
Telephone 617-491-7181
January 11, 1995

TO THE HONORABLE, THE CAMBRIDGE CITY COUNCIL:

RE: Proposal of Councillor Duehay for Condo Conversion Protections

I regret that I was unable to get myself sufficiently organized to speak at the January 9, 1995, meeting on this subject. I have been rather overwhelmed with the state actions, unpaid legal actions, and their implications over the past few weeks. I have not been able to give the City Council the attention it deserves.

I first meaningfully learned of this proposal from Mr. Rohr over the weekend. I first read it when I was able to get the ring binder from another observer on Monday night. I first had some vague understanding of the proposal at such a time that it was too late to sign up to speak. I never fully understood a significant proportion of the amendments proposed.

Although I do not fully understand the details (while recognizing the political realities of the present situation), **Councillor Duehay is to be commended for his initiative. The city councillors who joined him are to be commended for joining him.**

I hope that I will be able to obtain adequate documentation of the various proposals and votes to be able to make a more detailed analysis in the future.

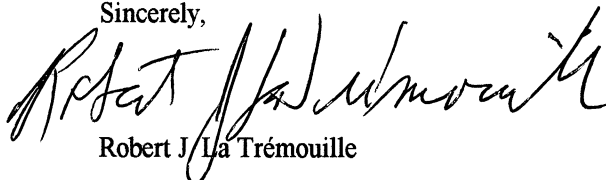
One amendment which would appear to be in order would stem from language added to the ordinance over the legal objections of the City Solicitor. He seemed to contend that the language was not allowed under the state enabling legislation. I am not in a position at this time to comment on his objections. However, in order to be safe, it would appear to be appropriate to add the following language, taken from the departed Rent Control Act:

If any section or any provision of any section of this [ordinance] or the application of such section or any such provision of any such section to any person or circumstance shall be held invalid, the validity of the remainder of the [ordinance] and the applicability of such section or such provision of such section to other persons or circumstances shall not be affected thereby, provided also that nothing herein shall be construed to limit the authority of the city and the rent control board to regulate [conversion of apartments to condominium or cooperatives]

Brackets reflect deviations from chapter 36. Final bracket should be modified to conform to structure of balance of statute.

I particularly appreciate the initiative of the city council in using the state condo conversion law, even with its requirement for six votes. It is encouraging to see you applying protections to as much people as is possible under that law without specific additional legislative approval. It is particularly encouraging to see you attempting to provide, for the first time, benefits to tenants who did not have protections under rent control.

Sincerely,



Robert J. La Trémouille

Consent Communication #5

8-19

A comm. was received from Robert LaTrenouille regarding Councillor
Duchays proposal for condo conversion protection.

In City Council January 23, 1995

In City Council January 23, 1995

Placed on file.